

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 21, 1967
9:00 A.M.

COUNCIL CHAMBER, CITY HALL

The meeting was called to order with Mayor Akin presiding.

Roll Call:

Present: Councilmen LaRue, Long, Nichols, Mayor Akin
Absent: Councilman Janes

The Invocation was delivered by REVEREND C. JORDAN MANN of the Tarrytown Methodist Church.

REAGAN RAIDERS RESOLUTION

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the indomitable John H. Reagan State Championship, Class AAAA Football Team has thrilled and inspired the people of Austin, of Texas, and beyond with their unsurpassed and unequalled will, skill, and spirit; and,

WHEREAS, the members of the team, the coaching staff, the administration and the entire student body supporting the Reagan Raiders have helped to display to the world the best qualities of the young people of America, at a time when their example is sorely needed by a troubled world; and,

WHEREAS, it is altogether fitting that the appreciation and admiration of the people of Austin be officially expressed; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That on behalf of all the people of Austin (rivals and supporters alike) their enduring and heartfelt gratitude and pride in the members of the football team, the coaching staff, the administration and student body of John H. Reagan High School be made known to all such persons by appropriate distribution of copies hereof, and that a page be specially set apart in the official minutes of the City Council to permanently record these expressions.

WITNESS our hands and the official seal of the City of Austin, Texas this 21st day of December, 1967.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman Long then moved the Council appoint Councilman Nichols as chairman of the committee to organize a dinner party for the Reagan State Championship Class AAAA Football Team. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

REPORT ON TRAFFIC STUDY ON
ENFIELD ROAD AND EXPOSITION BOULEVARD

City Manager Tinstman appeared before the Council to report on a traffic study on Enfield Road and Exposition Boulevard. Mr. Tinstman recommended installing parking prohibitions in the vicinity of the major intersections. The restrictions would extend within 150 feet of the intersection and would allow that much merging distance. Councilman LaRue then moved the Council adopt the report pertaining to the recommendations of the City Manager as to traffic regulations in the vicinity of the major intersections on Exposition between Enfield Road and North 35th Street. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman Long then moved the Council not enforce the City-wide rush hour traffic regulations on Sunday. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Mr. Tinstman stated that it was necessary to establish a standard alternating rush hour prohibition for inbound and outbound traffic from the point of the new 15th Street connection west to Exposition. Councilman Long then moved the Council establish inbound regulations from 7:00 to 9:00 in the morning and outbound regulations from 4:00 to 6:00 in the evenings from Exposition on Enfield Road to Marshall Lane. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Mr. Tinstman stated that the remaining problem area concerning parking restrictions was that point of connection from the new 15th Street overpass east to Lamar which included both Enfield and Parkway. He recommended that parking regulations remain as they had been established three weeks earlier. He pointed out that this would solve the parking problem that Dr. G. W. Cleaveland had brought to the attention of the Council on the December 14th Council meeting. Councilman Long moved the Council restore the parking on Enfield and Parkway as outlined by the City Manager in the set pattern established prior to its change three weeks earlier. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Akin
Noes: Councilman Nichols
Absent: Councilman Janes

JUNK YARD ORDINANCE

City Manager Tinstman appeared before the Council to comment on revisions made to the Junk Yard Ordinance. Mr. Tinstman stated that junk yard dealers were required to have a permit from the Building Official as well as furnish schematic drawings of their junk yard. Concerning the fencing of the junk yard, the sheet metal of the fence would have to be painted. Mr. Tinstman stated that a severability clause had also been added to the ordinance. City Attorney Doren Eskew noted that the Junk Yard Ordinance did include automobile parts, etc., but that the word "automobile" had been left out of the general definition of junk.

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 17 OF THE AUSTIN CITY CODE OF 1954 BY ADDING THERETO SECTION 17.9A, REQUIRING JUNK DEALERS TO MAINTAIN CERTAIN NON-TRANSPARENT WALLS OR FENCES, REQUIRING PERMITS, PRESCRIBING A PENALTY OF NOT LESS THAN ONE HUNDRED DOLLARS NOR MORE THAN TWO HUNDRED DOLLARS FOR VIOLATION OF SUCH SECTION.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance be passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 1 AND 2 AND THE EAST 10 FEET OF LOT 3, BLOCK 22 OF THE PERRY ESTATES, LOCALLY KNOWN AS 810-812 PARK BOULEVARD AND 4200-4204 RED RIVER STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Nichols moved the ordinance be passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Nichols, Mayor Akin
Noes: None
Present But Not Voting: Councilman Long
Absent: Councilman Janes

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
LOT 1 OF THE FRANK REEDER SUBDIVISION, AND LOT 12, EVERGREEN HEIGHTS, SAVE AND EXCEPT LOT 2 OF THE FRANK REEDER SUBDIVISION, LOCALLY KNOWN AS THE REAR 1600-1606 SOUTH LAMAR BOULEVARD AND 1608-1620 SOUTH LAMAR BOULEVARD, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;
SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS;
AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the second time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
LOT 17, BLOCK 2 OF THE FREDERICKSBURG ROAD ACRES SUBDIVISION, LOCALLY KNOWN AS 2214 THORNTON ROAD, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Nichols moved that the ordinance be passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes:	Councilmen LaRue, Nichols, Mayor Akin
Noes:	None
Present But Not Voting:	Councilman Long
Absent:	Councilman Janes

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
TRACT 1: 0.489 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, LOCALLY KNOWN AS 2102 GOODRICH AVENUE, AND
TRACT 2: 0.762 OF AN ACRE OF LAND OUT OF THE ISAAC DECKER LEAGUE, LOCALLY KNOWN AS 2021-2023 BLUE BONNET LANE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;
SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND
SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes:	Councilmen LaRue, Long, Nichols, Mayor Akin
Noes:	None
Absent:	Councilman Janes

The ordinance was read the second time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes:	Councilmen LaRue, Long, Nichols, Mayor Akin
Noes:	None
Absent:	Councilman Janes

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes:	Councilmen LaRue, Long, Nichols, Mayor Akin
Noes:	None
Absent:	Councilman Janes

The Mayor announced that the ordinance had been finally passed.

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN HEIGHT AND AREA AND CHANGING THE HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
LOTS 5, 6 AND 7, OUTLOT 102 OF THE ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 806-814 SAN ANTONIO STREET AND 501-515 WEST 9TH STREET, FROM THIRD HEIGHT AND AREA DISTRICT TO FOURTH HEIGHT AND AREA DISTRICT;
SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the second time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

ANNEXATION HEARING SET

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 22.49 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE, AND 8.77 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman LaRue moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on January 4, 1968 at 10:30 A.M. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 33.0 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY AND THE JAMES P. WALLACE SURVEY NUMBER 57, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman LaRue moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on January 4, 1968 at 10:30 A.M. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

STREET VACATION ORDINANCE

Mayor Akin introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF WICHITA STREET ALLEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

RELEASE OF EASEMENTS

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across that certain portion of Lot 6, Block G, Flournoy's Sweetbriar, Section 2, a subdivision of a portion of the William Cannon League in the City of Austin, Travis County, Texas, according to a map or plat of said Flournoy's Sweetbriar, Section 2, of record in Book 30 at Page 39 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said public utility easement to-wit:

A strip of land seven and one-half (7.50) feet in width, same being out of and a part of Lot 6, Block G, Flournoy's Sweetbriar, Section 2, a subdivision of a portion of the William Cannon League in the City of Austin, Travis County, Texas, according to a map or plat of said Flournoy's Sweetbriar, Section 2, of record in Book 30 at Page 39 of the Plat Records of Travis County, Texas; the centerline of said strip of land seven and one-half (7.50) feet in width being more particularly described as follows:

BEGINNING at the intersection of the north line of Bramble Drive and a line 3.75 feet west of and parallel to the east line of said Lot 6, Block G, Flournoy's Sweetbriar, Section 2;

THENCE, with the said line 3.75 feet west of and parallel to the east line of Lot 6, N 21° 53' E 119.5 feet, more or less, to point of termination in the south line of an existing public utilities easement seven and one-half (7.50) feet in width.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

OFF-STREET PARKING

City Manager Tinstman stated that Building Inspector Dick Jordan was investigating the matter of finding a parking space area adjacent to or near by the restaurant at 1720 Lavaca Street. Councilman Nichols suggested the Council postpone the item until they received a report from Mr. Jordan.

BOAT DOCKS APPROVED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by MR. THURMAN DOBBINS as described in the Travis County Deed Records and known as Lot 26, Section 2 Rivercrest Addition as described on the attached plot plan and hereby authorizes the said MR. DOBBINS to construct, maintain and operate the boat dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of the boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MR. DOBBINS has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(See original Resolution for attachment)

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by MR. JOHN W. WASHINGTON as described in the Travis County Deed Records and known as 1752 Channel Road on Lake Austin as described on the attached plot plan and hereby authorizes the said MR. WASHINGTON to construct, maintain and operate the boat dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of the boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MR. WASHINGTON has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(See original Resolution for attachments)

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by MR. B. V. WAITE as described in the Travis County Deed Records and known as 0.206 acres, James Spillman Survey located at Ski Shores on Lake Austin as described on the attached plot plan and hereby

authorizes the said MR. WAITE to construct, maintain and operate the boat dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of the boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MR. WAITE has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(See original Resolution for attachment)

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

TRANS-TEXAS AIRWAYS LEASE

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin is the owner of an airport known as Austin Municipal Airport, located in the County of Travis, State of Texas; and

WHEREAS, the City of Austin, acting through its City Manager, has entered into an agreement with Trans-Texas Airways for the lease of certain premises, facilities, rights, licenses, and services and privileges in connection with and upon the airport, which agreement was effective on June 1, 1959, for a term of twenty years, with all rates subject to renegotiation six months prior to June 1, 1969; and

WHEREAS, the Trans-Texas Airways desires to amend the aforementioned agreement between the City of Austin and Trans-Texas Airways by adding 850 square feet of operating space and 105 square feet of ticket counter space to 1,295 square feet of operating space and 325 square feet of ticket counter space covered in the aforementioned agreement; and

WHEREAS, the City Council has found and determined that it is in the public interest to amend that certain agreement to increase the lease of operating space and ticket counter space to the Trans-Texas Airways; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be, and he is hereby authorized and directed to enter into an Amendment No. 2 to the airport agreement between Trans-Texas Airways and the City of Austin, made and entered into as of the first day of June, 1959, and amended by Amendment No. 1, June 1, 1964, to further amend Article I, B, (2) of said airport agreement to increase the lease of operating space by 850 square feet and to increase the lease of ticket counter space by 105 square feet, making the area of the lessee's exclusive use consist of 2,450 square feet of operating space and 430 square feet of ticket counter space as outlined on the attached Exhibit, to be effective immediately.

(See original Resolution for Exhibit)

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

RIGHT-OF-WAY ENCROACHMENT

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the application of the Texas State Bank and Morgan Hunter is hereby approved to beautify the building located on Lot 1 and the South 23.00 feet of Lot 2, Block 110, of The Original City of Austin by a new facing along the east, south, and west walls of said building, as now located, with such new facing to be no more than three inches (3") thick on the east and south walls and no more than one inch (1") thick on the west wall except the south 1.25 feet of the west wall to be no more than three inches (3") thick; and the Building Official is hereby authorized to issue a permit for the construction of such improvements, said grant and permit subject to the following conditions:

(1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto except as to the encroachment of said new facing into public streets and alleys.

(2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulations of the City of Austin now existing or hereafter adopted.

(3) The repair or relocation of any and all utilities necessitated by making of these improvements shall be done at the expense of the applicants.

(4) The applicants, their heirs, successors, and assigns will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction, maintenance or existence of said improvements.

(5) The City of Austin may revoke such permit for good cause in the public interest after notice and hearing, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman Long then moved that the Tax Department take note of the enhancement of the property of the Texas State Bank due to their permit to encroach 3 inches on City property for public right of way. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

SPACE ASSIGNMENT

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the application of the Texas State Bank and Morgan Hunter to construct and maintain the hereinafter described underground improvements:

A 54-inch underground concrete conduit in West 9th Street, from a manhole 54.4 feet west of the centerline of Colorado Street, southerly 15.0 feet; the centerline of which 54-inch underground concrete conduit is 54.4 feet west of and parallel to the centerline of said Colorado Street.

A 54-inch underground concrete conduit in West 9th Street, from a point 54.4 feet west of the centerline of Colorado Street, easterly 331.5 feet; the centerline of which 54-inch underground concrete conduit is 25.0 feet south of and parallel to the centerline of said West 9th Street.

A 54-inch underground concrete conduit in West 9th Street, from a point 160 feet west of the centerline of Congress Avenue, northerly 65 feet; the centerline of which underground concrete conduit is 160 feet west of and parallel to the centerline of said Congress Avenue.

be and the same is hereby granted and the Director of Public Works is hereby authorized to issue a permit for the construction of such improvements, said grant and permit subject to the following conditions:

(1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.

(2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulations of the City of Austin now existing or hereafter adopted.

(3) The repair or relocation of any and all utilities necessitated by the laying of these improvements shall be done at the expense of the applicants.

(4) The applicants, their heirs, successors, and assigns, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction, maintenance or existence of said improvements.

(5) That all backfill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than 90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.A.S.H.O. Designation T99-49.

(6) The City of Austin may revoke such permit for good cause in the public interest after notice and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

OFFICIAL POPULATION RESOLUTION

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, inquiries are made periodically by persons interested in the population and growth of the City of Austin; and,

WHEREAS, based upon studies and analysis of population factors indicated by water, electric, and gas connections, birth and death rates, immigration and migration, and the school census of the Austin Independent School District, the population within the corporate limits of the City of Austin is estimated with reasonable accuracy to have been 245,295 as of January 1, 1968; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the official estimate of the population residing within the corporate limits of the City of Austin as of January 1, 1968, be established as 245,295.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

City Manager Tinstman stated that after the passage of the resolution declaring the official population as of January 1, 1968, the matter would then be forwarded to the Highway Department for possible changes with respect to the population within the City limit sign.

CONTRACTS AWARDED

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 13, 1967, for the installation of 1630 feet of 8-inch cast iron water main and 496 feet of 8-inch concrete sewer pipe in Twin Oaks Industrial Subdivision; and,

WHEREAS, the bid of Ford-Wehmeyer, Incorporated, in the sum of \$11,569.10 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Ford-Wehmeyer, Incorporated, in the sum of \$11,569.10, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Ford-Wehmeyer, Incorporated.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 13, 1967, for the installation of 5060 feet of 24-inch steel cylinder concrete water main in Great Northern Boulevard from Greenlawn Parkway to White Rock Drive; and,

WHEREAS, the bid of Bland Construction Company, in the sum of \$88,480.80 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Bland Construction Company, in the sum of \$88,480.80, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Bland Construction Company.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 13, 1967, for the installation of 180 feet of 8-inch, 1130 feet of 6-inch, and 1110 feet of 2-1/4 inch cast iron water mains, 4870 feet of 8-inch concrete sewer mains in Buckingham Place, Section 1; and,

WHEREAS, the bid of Walter Schmidt Construction Company, in the sum of \$34,694.50 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Walter Schmidt Construction Company, in the sum of \$34,694.50, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Walter Schmidt Construction Company.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 13, 1967, for the construction of the Pipe Cleaning and General Storage Building (Water and Sewer), East Austin Yard; and,

WHEREAS, the bid of Thomas Brothers Construction Co., in the sum of \$20,900.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Construction Engineer of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Thomas Brothers Construction Co., in the sum of \$20,900.00, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Thomas Brothers Construction Co.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 13, 1967, for the purchase of Anhydrous Ammonia for use by the Filter Plants; and,

WHEREAS, the bid of Armour Industrial Nitrogen Div., in the sum of \$5,850.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Armour Industrial Nitrogen Div., in the sum of \$5,850.00, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Armour Industrial Nitrogen Div.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 8, 1967, for the purchase of one (1) Heavy Duty Industrial Sweeper and Scrubber for use by the Municipal Auditorium and Convention Center; and,

WHEREAS, the bid of G. H. Tennant Company, in the sum of \$5,555.05 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of G. H. Tennant Company, in the sum of \$5,555.05, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with G. H. Tennant Company.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 12, 1967, for the purchase of Gasoline, Kerosene, Naphtha, Diesel, Oils and Greases; and,

WHEREAS, the bid of Mobil Oil Corporation, in the sum of \$145,877.35 for Gasoline; and the bids of Gulf Oil Corporation in the sum of \$1,815.00 for Kerosene, in the sum of \$660.00 for Naphtha, in the sum of \$8,904.00 for Diesel Fuels, and the sum of \$8,945.30 for Lubricating Oils & Greases, were the lowest and best bids therefor, and the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the above enumerated bids of Mobil Oil Corporation and Gulf Oil Corporation, be and the same are hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City with Mobil Oil Corporation and Gulf Oil Corporation.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

SALE OF HOUSES

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 13, 1967, for the sale of three (3) houses that Urban Renewal has turned over to the City for disposal; and,

WHEREAS, the bids of Ray Ramirez in the sum of \$37.00 for the house located at 1174 Angelina, and in the sum of \$47.00 for the house located at 1515 East 12th Street (F); and the bid of W. Johnston in the sum of \$51.00 for the house located at 1701 New York, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the above enumerated bids of Ray Ramirez and W. Johnston, be and the same are hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with Ray Ramirez and W. Johnston.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

PATHOLOGISTS CONTRACT EXTENDED

Councilman LaRue moved the Council authorize the City Manager to renew and extend the contract with the Pathologists at Brackenridge Hospital. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

POLICE AND FIRE WAGE SCHEDULE

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 620510-H PERTAINING TO SALARIES FOR CADETS AND CLASSIFIED EMPLOYEES IN THE POLICE DEPARTMENT; TO SALARIES FOR TRAINEES AND CLASSIFIED EMPLOYEES IN THE FIRE FIGHTER DIVISION AND FIRE PREVENTION DIVISION OF THE FIRE DEPARTMENT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ADOPTING AND ESTABLISHING A WAGE AND SALARY PLAN AND SCHEDULE FOR OFFICES AND EMPLOYMENTS OF THE CITY OF AUSTIN; DEFINING THE SCOPE OF THE WAGE AND SALARY PLAN; CREATING THE WAGE AND SALARY COMMITTEE; PROVIDING FOR THE CONTROL OF WAGE AND SALARY ADMINISTRATION; PROVIDING A SAVING CLAUSE, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL JULY 12, 1951, AND IS RECORDED IN BOOK "Q", PAGES 363-370 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, IN SECTION 5 RELATING TO EMPLOYMENT UNDER CERTAIN EMERGENCY CONDITIONS; IN SECTION 5 RELATING TO THE MASTER WAGE-SALARY SCHEDULE; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACTS

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH PRINGLE REAL ESTATE, INC. FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH SOUTHWEST AUSTIN INVESTMENT CORP. FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT: AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

ACQUISITION RESOLUTIONS

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

WHEREAS, the City Council of the City of Austin has found that public necessity requires a right-of-way across a 254.34 acre tract of land, a 103.65 acre tract of land, and a 180.92 acre tract of land, which land is part of the Lydia Payton, et al. Estate, Probate No. 23,437, of Travis County, Texas, to provide for the proper and adequate distribution of electric current from generating facilities of the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of a right-of-way easement consisting of approximately a 100 foot wide easement across the hereinafter described tracts of land to provide for the establishment of such facilities; and

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be, and he is hereby authorized and directed to file against the owner and lienholders a suit in eminent domain to acquire the hereinafter described easement for electrical transmission and distribution purposes across the hereinafter described tracts of land, to-wit:

A strip of land, same being out of and a part of 254.34 acre tract described in Deed No. 1, a 103.65 acre tract described in Deed No. 2 and a 180.92 acre tract described as Tract No. 2 in Deed No. 3, in Travis County, Texas, said strip of land being more particularly described by metes and bounds as follows:

BEGINNING at a point being the most southerly southwest corner of the above said 180.92 acre tract, said point of beginning being in the curving east right-of-way line of the M. K. & T. Railroad;

THENCE, following the south line of said 180.92 acre tract S. 71° 04' E. 142.45 feet to a point being the southeast corner of the strip of land herein described;

THENCE crossing the tracts of land described in Deeds No. 1 and 2 and in Tract No. 2 of Deed No. 3, the following three courses:

- (1) N. 1° 49' W. 450.50 feet;
- (2) N. 15° 51' E. 859.48 feet;
- (3) N. 22° 46' E. 3309.66 feet, to a point in the west line of said 254.34 acre tract;

THENCE following said west line, S. 29° 35' W. 425.19 feet to a point being the most southerly southwest corner of said 254.34 acre tract, said point being in the most northerly line of said 180.92 acre tract;

THENCE following the said most northerly line of said 180.92 acre tract N. 61° 13' W. 49.44 feet, to a point being the most north northwesterly corner of said 180.92 acre tract, said point being in the east right-of-way line of the M. K. & T. Railroad;

THENCE following the east right-of-way line of the M. K. & T. Railroad, S. 22° 46' W. 2981.84 feet to a point of curve to the left;

THENCE following the said curving east right-of-way of the M. K. & T. Railroad, the chord of which bears S. 10° 53' W. 1210.15 feet to the point of beginning.

Said strip of land containing 10.47 acres of land.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilmen Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires a right of way across a 74.12 acre tract of land owned by Charles K. Maretzsky and wife, Barbara Maretzsky, for proper and adequate distribution and transmission of electric current from generating facilities of the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of a right of way easement across the hereinafter described tract of land to provide for the transmission of electric current from generating facilities of the City of Austin; and

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders a suit in eminent domain to acquire the hereinafter described easement for said purposes across the hereinafter described tract of land, to-wit:

A tract of land, same being out of and a part of the 74.12 acre tract of land, recorded at Volume 2771, Page 399, of the Deed Records of Travis County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point being the northwest corner of said 21.39 acre tract, said point of beginning being in the east right-of-way line of the M. K. & T. Railroad;

THENCE following the east right-of-way line of the M. K. & T. Railroad and the west line of said 21.39 acre tract, S. 0° 18' W. 2033.69 feet, to a point being the southwest corner of said 21.39 acre tract and the northwest corner of said 74.12 acre tract;

THENCE continuing along the east right-of-way line of the M. K. & T. Railroad and the west line of said 74.12 acre tract, the following five courses:

- (1) S. 0° 18' W. 570.17 feet;
- (2) S. 0° 12' E. 138.13 feet;
- (3) S. 1° 14' E. 137.85 feet;
- (4) S. 2° 37' E. 137.74 feet;
- (5) S. 3° 48' E. 137.01 feet, to a point being the southwest corner of said 74.12 acre tract;

THENCE following the south line of said 74.12 acre tract S. 60° 51' E. 135.30 feet, to a point being the southeast corner of the strip of land herein described;

THENCE crossing said 74.12 acre and 21.39 acre tracts, the following two courses:

- (1) N. 3° 13' W. 660.73 feet;
- (2) N. 0° 21' E. 2494.20 feet, to a point in the north line of said 21.39 acre tract;

THENCE following said north line of the 21.39 acre tract N. 60° 18' W. 113.34 feet, to the point of beginning. Said strip of land containing 7.42 acres of land, more or less.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the establishment of an electric substation and transmission lines for the proper and adequate distribution and transmission of electric current from generating facilities of the City of Austin on a 21.39 acre tract owned by Charles K. Maretzsky and wife, Barbara Maretzsky;

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land to provide for the establishment of such facilities; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

A tract of land, the same being a 21.39 acre tract of land described in Volume 2929, Page 117, of the Deed Records of Travis County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point being the northwest corner of said 21.39 acre tract, said point of beginning being in the east right-of-way line of the M. K. & T. Railroad;

THENCE, following the north line of said 21.39 acre tract N. 60° 26' W. 828.34 feet;

THENCE, following the east line of said 21.39 acre tract, the following seven courses:

- (1) N. 29° 56' E. 888.48 feet;
- (2) N. 32° 8' W. 318.06 feet;
- (3) N. 30° 9' W. 220.14 feet;
- (4) N. 11° 49' W. 71.11 feet;
- (5) N. 40° 27' E. 73.75 feet;
- (6) N. 71° 58' E. 14.58 feet, to a point on the East bank of Sprinkle Creek;
- (7) N. 33° 39' E. 479.45 feet, to a point being the Southwest corner of said 21.39 acre tract;

THENCE, following the South line of said 21.39 acre tract S. 61° 09' E. 277.09 feet to a point being the southwest corner of said 21.39 acre tract, said point being in the East right-of-way line of said M. K. & T. Railroad;

THENCE, following the West line of said 21.39 acre tract, being the East right-of-way line of the M. K. & T. Railroad S. 0° 5' W. 2,033.69 feet, to the point of beginning.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin

Noes: None

Absent: Councilman Janes

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the establishment of an electric substation for the proper and adequate distribution and transmission of electric current from generating facilities of the City of Austin on a 3.49 acre tract out of a 15.14 acre tract owned by Wilbur E. Wright.

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land to provide for the establishment of such facilities; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

A tract of land, same being out of and a part of a 15.14 acre tract of land described as Tract No. 1 in the deed records, Volume 1288, Page 59 of the Deed Records of Travis County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point being the northwest corner of said 15.14 acre tract, said point of beginning being in the east right-of-way line of the M. K. & T. Railroad;

THENCE following the east right-of-way line of the M. K. & T. Railroad, the following three courses:

(1) S. 6° 40' E. 315.28 feet; (2) S. 4° 17' E. 200.83 feet;
(3) S. 2° 01' E. 315.28 feet to a point being the southwest corner of said 15.14 acre tract, said point being in the north right-of-way line of Cameron Road;

THENCE following the south line of said 15.14 acre tract and the north right-of-way line of Cameron Road, the following two courses:

(1) N. 73° 34' E. 235.00 feet; (2) N. 82° 24' E. 72.74 feet, to a point being the southeast corner of the tract herein described;

THENCE crossing the above said 15.14 acre tract, the following three courses:

(1) N. 2° 01' W. 249.67 feet; (2) N. 51° 38' W. 248.07 feet; (3) N. 8° 49' W. 316.30 feet, to a point in the north line of said 15.14 acre tract;

THENCE following said north line of the 15.14 acre tract, N. 71° 36' W. 111.57 feet, to the point of beginning, containing 3.49 acres more or less.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires a right-of-way across a 119.38 acre tract of land owned by Wilbur L. Wright for proper and adequate distribution and transmission of electric current from generating facilities of the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of a right-of-way easement across the hereinafter described tract of land to provide for the transmission of electric current from the generating facilities of the City of Austin; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders a suit in eminent domain to acquire the hereinafter described easement for said purposes to the following described tract of land, to-wit:

A tract of land, same being out of and a part of a 119.38 acre tract of land described as TRACT NO. 2 in the Deed Records, Volume 1288, Page 59 of the Deed Records of Travis County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point between the northwest corner of said 119.38 acre tract, said point of beginning being the east right-of-way line of the M. K. & T. Railroad and the south right-of-way line of Cameron Road;

THENCE following the east right-of-way line of the M. K. & T. Railroad, south $0^{\circ} 13' W.$ 752.36 feet to a point of beginning of the southwest corner of said 119.38 acre tract;

THENCE following the south line of said 119.38 acre tract S. $60^{\circ} 18' E.$ 113.34 feet to a point beginning at the southeast corner of a strip of land herein described;

THENCE crossing said 119.38 acre tract N. $0^{\circ} 21' E$ 832.83 feet to a point in the north line of said 119.38 acre tract and the south right-of-way line of Cameron Road;

THENCE following said north line of the 119.38 acre tract and said south right-of-way line of Cameron Road S. $76^{\circ} 05' W.$ 103.96 feet to the point of beginning, said tract containing 1.82 acres of land, more or less.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

DOG ORDINANCE REVISED

Mayor Akin stated that a revised draft of the dog ordinance was being drawn up which would qualify the conditions under which a police officer would have the authority to enter private property and take possession of an animal. The Council agreed that it would be better to consider the matter when the full Council was present.

CITIZEN APPEARANCE

Mr. Ira Miller appeared before the Council to protest the parking of five house moving trucks in front of his property at 1000 Concordia. City Manager Tinstman stated that the owner of the trucking equipment would be notified to see if the matter could be cleared up.

RECESSED MEETING

The Council recessed to go into Executive Session to consider appointments to Boards and Commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS

At the conclusion of the Executive Session, the Council resumed its regular session. The Council then made the following appointments:

Solicitation Board

Councilman Long moved the Council reappoint the following individuals to the Solicitation Board:

Mr. R. V. Miller
Mrs. E. T. Morris

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Human Relations Commission

Councilman Long moved the Council appoint the following individuals to the Human Relations Commission:

Mr. Bonner McClane
Miss Connie Moreno
Mr. Ray Moncivaís
Mr. Gus García
Dr. Sergio D. Elizondo

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

LAND ACQUISITION

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

Marvin M. Henry
(MoPac Blvd.)

801 Winsted Lane
680201.57

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$39,800.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Being the West Ten (10) feet of Lot No. Eight (8), all of Lot No. Nine (9), and the South Thirty (30) feet of Lot No. Ten (10), in Block "A", in Royal Oak, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 4, Page 287, of the Plat Records of Travis County, Texas.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$18,000.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

All of Lots 7 and 8, Block 4, Sunset Heights Addition,
being a subdivision of record in Book 3, at Page 86
of the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$19,000.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

A part of the North Twenty (20) feet of Lot No. Three (3), and the South Fifty (50) feet of Lot No. Four (4), in Block No. 1 in Westfield "A", a subdivision out of the George W. Spear League in the City of Austin, and in Travis County, Texas, according to the map or plat of said subdivision recorded in Volume 3, Page 107, of the Travis County Plat Records, as described in a deed from Mrs. J. W. DeLoney and the Husband to L. L. Kerr and wife, as recorded in Volume 632, Page 609-610, of the Travis County Deed Records, and being all of that portion of said Lot No. 4, in Block No. 1, in Westfield "A", designated as Tract No. 1, and all of that portion of Lot No. 3, in Block No. 1, in Westfield "A", designated as Tract No. 2 in a deed from A. F. DeLoney and wife, to L. L. Kerr and wife, as recorded in Volume 644, Page 205, of the Travis County Deed Records, and described by metes and bounds in accordance with a survey made by the Metcalfe Engineering Company on April 26, 1954, which are as follows, to-wit:

BEGINNING at an iron stake in the West line of Saybrook Lane, for the northeast corner of Lot No. 3 and the southeast corner of Lot No. 4, in Block No. 1 in Westfield "A", a subdivision out of the George W. Spear League Survey No. 7, in the City of Austin, in Travis County, Texas, according to a map or plat as recorded in Plat Book 3, Page 107, of the Travis County Plat Records, and said iron stake being also the Northeast corner of the North 20 feet of Lot No. 3 and the Southeast corner of the South 50 feet of Lot No. 4, in Block No. 1, in Westfield "A" as described in a deed from Mrs. J. W. DeLoney and Husband to L. L. Kerr and wife, as recorded in Volume 632, Page 609 of the Travis County Deed Records;

THENCE, with the West line of Saybrook Lane, being also the East line of Lot No. 3, S 32° W at 20 feet passing a stake at the southeast corner of that said North 20 feet of Lot 3, Block No. 1, said stake being also the northeast corner of that portion of Lot No. 3 designated as Tract No. 2 in a deed from A. F. Deloney and wife, to L. L. Kerr and wife, as recorded in Volume 644, Page 205 of the Travis County Deed Records, in all 32.7 feet to an iron stake for the southeast corner of said Tract No. 2;

THENCE, with the South line of said Tract No. 2, N 49° 51' W at 89.58 feet passing an iron stake at the most westerly corner of said Tract No. 2, in the south line of the aforesaid North 20 feet of Lot No. 3, said iron stake being also the most easterly corner of that part of the North 20 feet of Lot 3, Block 1, Westfield "A" as described in a deed from L. L. Kerr to A. F. DeLoney and wife, as recorded in Volume 644, Page 207, of the Travis County Deed Records, in all 188.37 feet to an iron stake in the west line of said Lot No. 3, for the Northwest corner of the A. F. DeLoney tract No. 2, being also the east line of Winsted Lane;

THENCE, with the West line of said Lot No. 3 in Block No. 1, in Westfield "A", and the East line of Winsted Lane, N 50° 39' E 6.32 feet to an iron stake at the Northwest corner of Lot No. 3, and the Southwest corner of Lot No. 4, in Block No. 1, in Westfield "A", and being also the Northwest corner of the aforesaid North 20 feet of Lot No. 3, in Block No. 1, and being also the Southwest corner of the South 50 feet of Lot No. 4, in Block 1, as described in a deed from Mrs. J. W. DeLoney and husband, to L. L. Kerr and wife, as recorded in Volume 632, Page 609 of the Travis County Deed Records;

THENCE, with the West line of Lot No. 4 and being also the East line of Winsted Lane, N 50° 46' E at 52.8 feet passing the Northwest corner of the said North 50 feet of Lot No. 4, Block 1, and being also the Southwest corner of that portion of Lot No. 4, designated as Tract 1, in a deed from A. F. DeLoney and wife, to L. L. Kerr and wife, as recorded in Volume 644, Page 205 of the Travis County Deed Records, in all 64.88 feet to an iron stake at the Northwest corner of the said L. L. Kerr Tract No. 1;

THENCE, with the North line of the said L. L. Kerr Tract No. 1 S 49° 51' E at 80.68 feet passing an iron stake at the most easterly corner of said Tract No. 1, and being also the West corner of that portion of the North 50 feet of Lot

No. 4, in Block No. 1, Westfield "A", as described as Tract No. 1 in a deed from L. L. Kerr and wife, to A. F. DeLoney and wife, in all 165.28 feet to an iron stake in the East line of Lot No. 4, being also the West line of Saybrook Lane, for the Southeast corner of the A. F. DeLoney Tract No. 1;

THENCE, with the East line of said Lot No. 4 in Block No. 1 and the West line of Saybrook Lane, S 32° W 38 feet to the place of beginning; and being the same property described in the deed from L. L. Kerr and wife, Pearl Kerr, to the Upjohn Company.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

TOWN LAKE ACQUISITION

The Council had before it consideration of land acquisition on Town Lake for the Parks and Recreation Board. The Parks and Recreation Board and the Parks and Recreation Department staff had recommended that the parcels of land (shown on the attached map) on Waller Beach west of the East Avenue right-of-way be purchased immediately. The land was needed to carry out effectively the first phase of the Town Lake development which was being proposed in the application for BOR (Bureau of Outdoor Recreation) funds. The 12 tracts had been appraised at \$139,965.00.

It was also recommended that the parcels of land on Chicon and Bergman Streets (shown on the attached plan) be purchased as soon as possible. The land was needed to serve the needs of Fiesta Gardens adequately. The area had been appraised at \$55,158.00.

The Bergman property was now in an application (Tex. OSA-22) which had been filed with HUD for open-space funds; however, due to the low priority of this open-space application as well as HUD's lack of funds, it was recommended that acquisition be made with City funds.

PARD had \$170,000.00 in the current CIP for land acquisition on Town Lake and \$80,000.00 in the 1968-69 CIP.

Councilman Nichols moved the Council authorize the City Manager to receive the acquisition of the land on Town Lake. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

CHICON STREET

BERGMAN

STREET

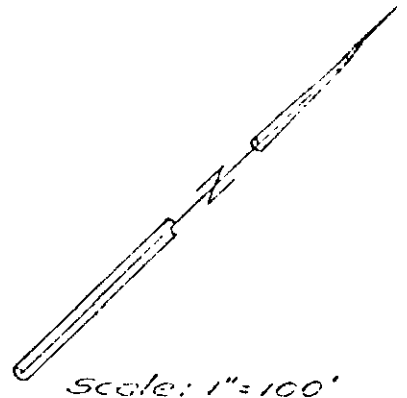
LYNN

BOULE AVENUE

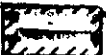
AVENUE

ANTHONY STREET

CANADIAN STREET



Scale: 1"=100'



Areas to be acquired

Albert
Vol. 752
Pg. 933
70

Adolph Eggern
Vol. 2545, Pg. 480

Applinar Divorez
Vol. 2790, Pg. 166

Travis A. Eckert
Vol. 2687, Pg. 12

Vol. 1864, Pg. 150
Holding of
Annie R. L.

Vol. 1566, Pg. 103
L. 1137, Pg. 523
L. 1337, Pg. 523
L. 1501, Pg. 523

Vol. 151, Pg. 184
Prob. Wm.

John H. Arno Horton
Vol. 650
Pg. 198
96

2

5

Vol. 720, Pg. 242

O.D. Goode
Vol. 752, Pg. 245

5

Harvey Goode, et ux
Vol. 870, Pg. 1258
Pg. 539

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Vol. 1015, Pg. 156
Vol. 1015, Pg. 156
Vol. 1015, Pg. 156

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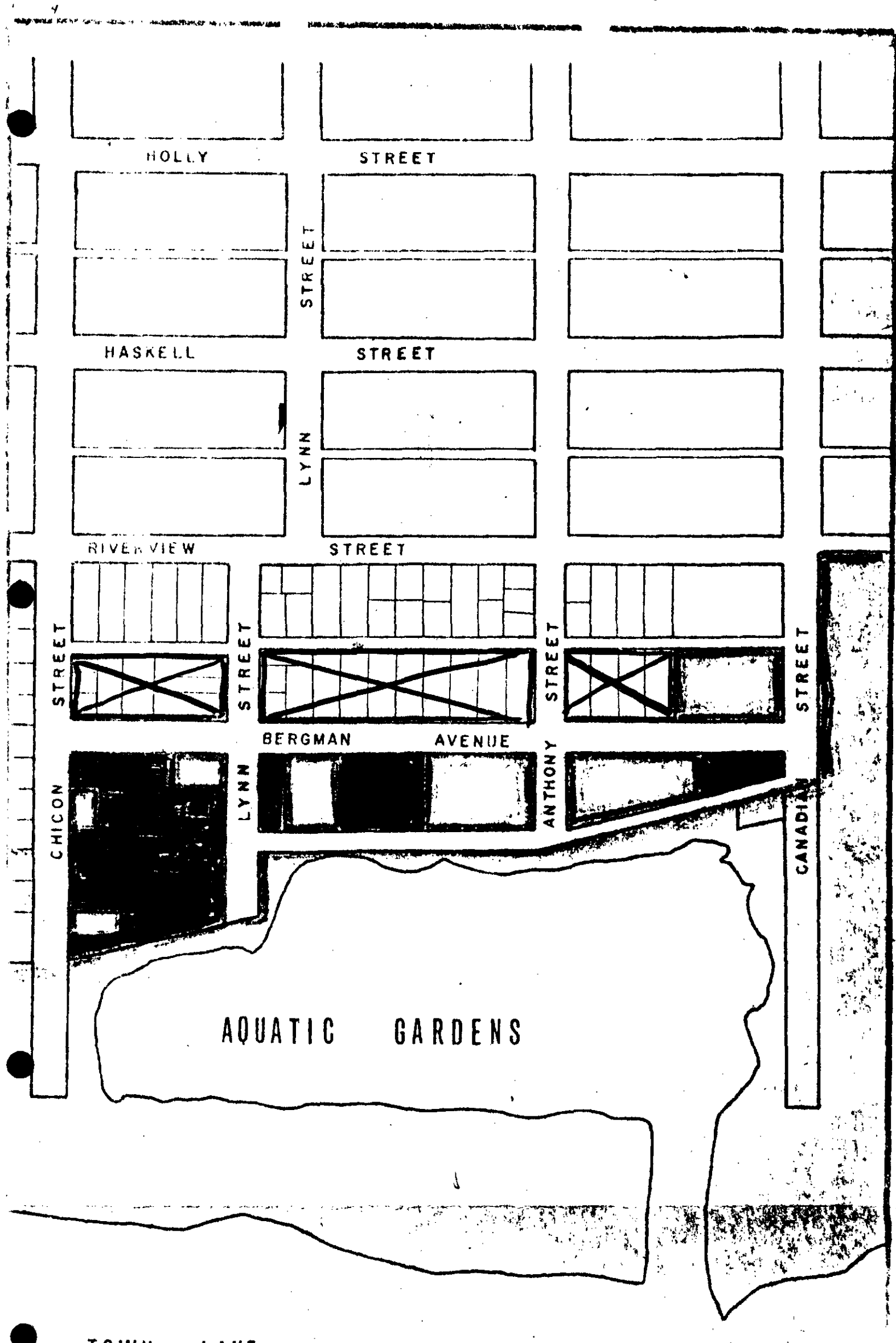
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TOWN LAKE

LEGEND

- FOR IMMEDIATE PURCHASE
- CITY-OWNED LAND
- SUBJECT PROPERTIES
- STANDARD RESIDENCE
- PROPOSED FUTURE PURCHASE

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the application of the Texas State Bank and Morgan Hunter to construct and maintain the hereinafter described underground improvements:

A 54-inch underground concrete conduit in West 9th Street, from a manhole 54.4 feet west of the centerline of Colorado Street, southerly 15.0 feet; the centerline of which 54-inch underground concrete conduit is 54.4 feet west of and parallel to the centerline of said Colorado Street.

A 54-inch underground concrete conduit in West 9th Street, from a point 54.4 feet west of the centerline of Colorado Street, easterly 331.5 feet; the centerline of which 54-inch underground concrete conduit is 25.0 feet south of and parallel to the centerline of said West 9th Street.

A 54-inch underground concrete conduit in West 9th Street, from a point 160 feet west of the centerline of Congress Avenue, northerly 65 feet; the centerline of which underground concrete conduit is 160 feet west of and parallel to the centerline of said Congress Avenue.

be and the same is hereby granted and the Director of Public Works is hereby authorized to issue a permit for the construction of such improvements, said grant and permit subject to the following conditions:

(1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.

(2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulations of the City of Austin now existing or hereafter adopted.

(3) The repair or relocation of any and all utilities necessitated by the laying of these improvements shall be done at the expense of the applicants.

(4) The applicants, their heirs, successors, and assigns, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction, maintenance or existence of said improvements.

(5) That all backfill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than 90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.A.S.H.O. Designation T99-49.

(6) The City of Austin may revoke such permit for good cause in the public interest after notice and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman Nichols, carried by the following vote

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: None
Absent: Councilman Janes

ADJOURNMENT

The Council then adjourned.

APPROVED: _____

Harry Akin
Mayor

ATTEST: _____

Grace Monroe
Asst. City Clerk